

Application No.: 10/501,192

REMARKS

The indication of allowable subject matter in claims 5-10 is acknowledged and appreciated. Accordingly, claims 5-7 and 10 have been rewritten into new independent claims 11-13 and 16, respectively. In view of the following remarks, it is respectfully submitted that all claims are in condition for allowance.

Claims 1-4 stand rejected under 35 U.S.C. § 102 as being anticipated by Jin et al. '721 ("Jin"). Claim 1 is independent. This rejection is respectfully traversed for the following reasons.

Claim 1 recites in pertinent part, "a space is formed between the light guiding component and the light correction component." Exemplary embodiments of this feature are shown in Applicants' drawings as space 15 having, for example, a height H. In contrast, the alleged light guiding component 9 and light correction component 6-8 in Jin are shown to be arranged with no space therebetween. Indeed, it is respectfully submitted that Jin teaches away from such spacing by expressly disclosing that the "cold-cathode fluorescent lamp 16, wedge-shaped light guide body 9 ..., optical diffusion sheets (6, 8), lens sheet 7 and reflection sheet 10 are inserted and *fitted* into a mold 14 with a frame-like shape in a specified assembly order shown in FIG. 1" (emphasis added; *see* col. 6, lines 33-39).

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Jin does not anticipate claim 1, nor any claim dependent thereon.

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Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claim 1 is patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 102 be withdrawn.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,
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